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19 **UNITED STATES DISTRICT COURT**
 20 **NORTHERN DISTRICT OF CALIFORNIA**

21 AliveCor, Inc.,

23 Plaintiff,

24 v.

25 Apple Inc.,

26 Defendant.

CASE NO. 4:21-CV-03958-JSW-SK

**RESPONSE AND REQUEST FOR
 CLARIFICATION RE ORDER
 GRANTING IN PART AND DENYING IN
 PART MOTIONS TO PERMANENTLY
 FILE UNDER SEAL (DKT. 254)**

27
 28 The Honorable Jeffrey S. White

1 Defendant Apple Inc. submits this response and request for clarification pursuant to the Court's
 2 Order Granting in Part And Denying in Part Motions to Permanently File under Seal Certain Materials
 3 Filed in Connection with Motion for Summary Judgment Briefing. Dkt. 254 ("the Order").

4 **I. The Parties' Responses to the Court's Order**

5 On November 2, 2023, Plaintiff AliveCor, Inc and Apple Inc. (collectively, "the Parties") filed
 6 omnibus motions to seal certain materials filed in connection with the Parties' summary judgment,
 7 *Daubert* briefing, and related filings. *See* Dkts. 249 and 250. On November 13, 2023, the Court issued
 8 its Order in response to the Parties' requests to seal. Dkt. 254. The Order included one request for
 9 Apple to clarify certain requests to seal. Apple responds as follows:

Dkt. Nos.	Document	Court Order	Response
191-18; 222-43	Rebuttal Expert Report of Dr. Michael Cragg	"The Court ORDERS Apple to clarify whether it seeks to fully seal this document or whether it only seeks sealing as to the highlighted portions. Apple shall submit its clarification no later than November 27, 2023." Dkt. 254 at 4-5.	Apple requests sealing only the highlighted portions of the document.

16 **II. Apple's Request for Clarification**

17 Apple requests the Court's permission to file all of the public versions of its summary judgment,
 18 *Daubert* briefing, and related filings at the same time, twenty-one (21) days after the Court's ruling on
 19 the response provided above.

20 DATE: November 27, 2023

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